C/007/038 Incoming

Case 15-33896-KRH Doc 160 Filed 08/14/15 Entered 08/14/15 09:21:14 Desc Main

Document Page 1 of 6

CC: Steve A. Dana

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

RECEIVED

AUG 2 1 2015

In re:

Alpha Natural Resources, Inc., et al.,

Debtors.

Chapter 11

DIV. OF OIL, GAS & MINING

Case No. 15-33896 (KRH)

(Jointly Administered)

## NOTICE OF COMMENCEMENT OF CHAPTER 11 CASES AND MEETING OF CREDITORS

<u>Commencement of Chapter 11 Cases</u>. On August 3, 2015, the above-captioned debtors and debtors in possession (collectively, the "<u>Debtors</u>") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "<u>Bankruptcy Code</u>") in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the "<u>Court</u>"). Each Debtor, its federal tax identification number and its corresponding chapter 11 case number is listed below.

Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the Court. At a later date, you may be sent a copy of a plan and a related disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the hearing to consider confirmation of the plan, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is appointed and serving, the Debtors will remain in possession of their property and may continue to operate any business.

Joint Administration of Cases. Upon a motion by the Debtors, the Court entered an order on August 5, 2015 (Docket No. 129) authorizing joint administration of the above-captioned cases pursuant to Rule 1015 of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules") and Rule 1015-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Eastern District of Virginia (the "Local Bankruptcy Rules"), consolidating the cases for procedural purposes only under Case No. 15-33896 (KRH) and directing that the joint caption of the cases read In re Alpha Natural Resources, Inc., et al.

Attorneys for the Debtors. The attorneys representing the Debtors are David G. Heiman, Carl E. Black and Thomas A. Wilson, Jones Day, North Point, 901 Lakeside Avenue, Cleveland, Ohio 44114, Telephone: (216) 586-3939, Facsimile: (216) 579-0212; and Tyler P. Brown, J.R. Smith, Henry P. (Toby) Long, III and Justin F. Paget, Hunton & Williams LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219, Telephone: (804) 788-8200; Facsimile: (804) 788-8218.

Meeting of Creditors. Pursuant to section 341 of the Bankruptcy Code, the Office of the United States Trustee for the Eastern District of Virginia (the "U.S. Trustee") has scheduled a meeting of creditors on September 2, 2015, at 2:00 p.m. (prevailing Eastern Time), at the Office of the U.S. Trustee, 701 East Broad Street, Suite 4300, Richmond, Virginia 23219. The Debtors' representatives must be present at the meeting to be examined under oath by the U.S. Trustee and by creditors. Creditors are welcome to attend the meeting but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the Court.

Creditors Generally May Not Take Certain Actions. In most instances, the filing of the bankruptcy cases automatically stays certain collection and other actions against the Debtors and the Debtors' property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the Debtors can request the court to extend or impose a stay. Prohibited actions are listed in section 362(a) of the Bankruptcy Code and common examples include: (a) contacting the Debtors by telephone, mail or otherwise to demand repayment; (b) taking actions to collect money or obtain property from the Debtors; (c) starting or continuing lawsuits against the Debtors; and (d) repossessing the Debtors' property. See 11 U.S.C. § 362(a). If unauthorized actions are taken by a creditor against the Debtors, the Court may penalize that creditor. A creditor who is considering taking action against the Debtors or their property should review, among other things, section 362(a) of the Bankruptcy Code and seek legal advice.

Notice of Bar Dates for Proofs of Claim. No bar date has yet been established for the filing of Proofs of Claim. If and when a bar date is established, a separate notice of the bar date (the "Bar Date Notice") will be provided. The Bar Date Notice will contain information regarding the bar dates, a Proof of Claim form and instructions for completing and filing a Proof of Claim form.

Claims. A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this Notice, you can obtain one at any United States Bankruptcy Court Clerk of Court's office or online at www.vaeb.uscourts.gov. You may look at the schedules that will be filed at the Clerk of Court's office or online at www.kccllc.net/alpharestructuring. If your claim is scheduled and is not listed as disputed, contingent or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim and may be unable to vote on a plan. The Bankruptcy Court has not yet set a deadline to file Proofs of Claim. If a deadline is set, you will be sent another notice. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim may submit the creditor to the jurisdiction of the Bankruptcy Court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Do not include this notice with any filing you make with the Court.

Case 15-33896-KRH Doc 160 Filed 08/14/15 Entered 08/14/15 09:21:14 Desc Main Document Page 3 of 6

Filing Deadline for a Creditor with a Foreign Address. The deadline for filing claims will be set in a later Court order and will apply to all creditors unless the order provides otherwise. If notice of the order setting the deadline is sent to a creditor at a foreign address, the creditor may file a motion requesting the Court to extend the deadline. There is no assurance that such a motion would be granted. Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in these cases.

Case Management and Administrative Procedures. On August 5, 2015, the Court entered the Order Establishing Certain Notice, Case Management and Administrative Procedures (Docket No. 111) (the "Case Management Order"). All parties who desire to participate in these cases must follow the procedures set forth therein. The Case Management Order provides, among other things, that, except as set forth in the procedures approved by the Case Management Order, notice of proceedings in the chapter 11 cases need only be sent via electronic mail to the parties on the established service list. Any party in interest that desires to receive electronic mail notice in the chapter 11 cases and, consequently, be added to the service list, shall file with the Court a notice of appearance and request for service and shall serve such request on Jones Day, North Point, 901 Lakeside Avenue, Cleveland, Ohio 44114, Attn: Carl E. Black and Thomas A. Wilson, and Hunton & Williams LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219, Attn: Tyler P. Brown and Henry P. (Toby) Long, III. All creditors will receive notice of certain proceedings, including, but not limited to, bar dates (unless applicable to a limited population of creditors), the time fixed for filing objections to, and any hearing to consider a disclosure statement and/or confirmation of, a chapter 11 plan and dismissal or conversion of the chapter 11 cases to another chapter of the Bankruptcy Code. A copy of the procedures approved by the Case Management Order is available from the sources described below.

Discharge of Debts and Deadline to File a Complaint to Determine Dischargeability of Certain Debts. Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Section 1141(d) of the Bankruptcy Code. A discharge means that you may never try to collect the debt from the Debtors, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under section 1141(d)(6)(A) of the Bankruptcy Code, you must start a lawsuit by filing a complaint in the Court. In a chapter 11 case, the complaint must be filed no later than the first date set for the hearing on confirmation of a plan. Fed. R. Bankr. P. 4004(a). The Clerk of Court's Office must receive the complaint and any required filing fee by such deadline.

How to Obtain Documents. Electronic copies of all pleadings or other documents filed in these cases may be obtained for \$0.10 per page or \$2.40 per document via PACER on the Court's web site at http://ecf.vaeb.uscourts.gov. Paper copies of all pleadings or other documents filed in these cases may be obtained by sending a written request to the Debtors' claims and noticing agent, Kurtzman Carson Consultants, LLC ("KCC") at Alpha Natural Resources Claims Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245, or by contacting KCC by telephone at (888) 249-2703 (toll free in the U.S. and Canada) or (310) 751-2602 (for international callers). Additionally, free electronic copies of certain pleadings or other documents filed in these cases will be posted on KCC's web site at <a href="http://www.kccllc.net/alpharestructuring">http://www.kccllc.net/alpharestructuring</a> as soon as possible after filing.

<u>Court Filings</u>. Any paper that you file in these bankruptcy cases should be filed at the Clerk of Court's office at the U.S. Bankruptcy Court, Office of the Clerk of Court, 701 East Broad Street,

Suite 4000, Richmond, VA 23219. In addition, these cases have been designated as cases assigned to the electronic case filing system and can be accessed via the Court's web site at <a href="http://www.vaeb.uscourts.gov">http://ecf.vaeb.uscourts.gov</a>.

<u>Local Bankruptcy Rule Dismissal Warning</u>. Chapter 11 cases may be dismissed for failure to timely file lists, schedules and statements. <u>See</u> Local Bankruptcy Rule 1007-1.

<u>Legal Advice</u>. Neither the Debtors' counsel, KCC nor the staff of the Clerk of Court's Office can give you legal advice. You may wish to consult an attorney to protect your rights.

## List of Debtors.

Debtor's Name	Debtor's EIN Number	Case Numb
Alpha Natural Resources, Inc.	42-1638663	15-33896
Alex Energy, Inc.	55-0755384	15-33911
Alpha American Coal Company, LLC	54-1947356	15-33913
Alpha American Coal Holding, LLC	13-2793319	15-33915
Alpha Appalachia Holdings, Inc.	95-0740960	15-33917
Alpha Appalachia Services, Inc.	54-1095096	15-33921
Alpha Coal Resources Company, LLC	84-1341308	15-33925
Alpha Coal Sales Co., LLC	16-1641207	15-33926
Alpha Coal West, Inc.	35-1867616	15-33931
Alpha European Sales, Inc.	54-1834161	15-33898
Alpha India, LLC	27-4593320	15-33937
Alpha Land and Reserves, LLC	57-1136960	15-33939
Alpha Midwest Holding Company	84-1456626	15-33944
Alpha Natural Resources, LLC	56-2298262	15-33947
Alpha Natural Resources International, LLC	27-4592266	15-33950
Alpha Natural Resources Services, LLC	27-0075099	15-33952
Alpha PA Coal Terminal, LLC	26-1102515	15-33955
Alpha Shipping and Chartering, LLC	41-2136215	15-33959
Alpha Sub Eight, LLC	47-3587689	15-33916
Alpha Sub Eleven, Inc.	47-3640130	15-33918
Alpha Sub Nine, LLC	47-3601607	15-33922
Alpha Sub One, LLC	27-4592410	15-33927
Alpha Sub Ten, Inc.	47-3626036	15-33930
Alpha Sub Two, LLC	27-4592527	15-33934
Alpha Terminal Company, LLC	55-0802473	15-33940
Alpha Wyoming Land Company, LLC	35-1661756	15-33949
AMFIRE, LLC	51-0430939	15-33954
AMFIRE Holdings, LLC	11-3673814	15-33958
AMFIRE Mining Company, LLC	11-3673833	15-33963
Appalachia Coal Sales Company, Inc.	54-1188775	15-33900
Appalachia Holding Company	54-0295165	15-33900
Aracoma Coal Company, Inc.	52-1669141	15-33966
Axiom Excavating and Grading Services, LLC	20-8109122	15-33900
Bandmill Coal Corporation	55-0758310	15-33978
Bandytown Coal Company	55-0751776	15-33983
Barbara Holdings Inc.	25-1292326	15-33986
Barnabus Land Company	55-0728645	15-33990
Belfry Coal Corporation	61-0415137	15-33990
Big Bear Mining Company	22-2138933	15-33993
Black Castle Mining Company, Inc.	52-1891104	
Black King Mine Development Co.	54-1188659	15-34004
Black Mountain Cumberland Resources, Inc.	27-2323540	15-34008
Boone East Development Co.	55-0717715	15-33902 15-34012
	.1.1-0717713	10-34012

Debtor's Name	Debtor's EIN Number	Case Number
Brooks Run South Mining, LLC	26-0342580	15-34022
Buchanan Energy Company, LLC	54-0983234	15-33895
Castle Gate Holding Company	84-1456620	15-34024
Clear Fork Coal Company	55-0757300	15-34026
Coal Gas Recovery II, LLC	46-2855899	15-34018
Crystal Fuels Company	55-0732366	15-34028
Cumberland Coal Resources, LP	84-1521723	15-34030
Dehue Coal Company	55-0619956	15-33912
Delbarton Mining Company	55-0764304	15-33919
Delta Mine Holding Company	91-1897558	15-33923
DEITS Wiffe Holding Company  DFDSTE Corp.	84-1199429	15-33928
	54-2079085	15-33932
Dickenson-Russell Coal Company, LLC	20-4278709	15-33935
Dickenson-Russell Land and Reserves, LLC		15-33938
DRIH Corporation	54-1497754	
Duchess Coal Company	54-1725084	15-33942
Eagle Energy, Inc.	55-0751738	15-33945
Elk Run Coal Company, Inc.	54-1097978	15-33948
Emerald Coal Resources, LP	84-1521724	15-33956
Enterprise Mining Company, LLC	38-3671602	15-33960
Esperanza Coal Co., LLC	06-1652549	15-33962
Foundation Mining, LLC	20-3378168	15-33965
Foundation PA Coal Company, LLC	84-1521726	15-33968
Foundation Royalty Company	84-1456627	15-33971
Freeport Mining, LLC	84-1521725	15-33973
Freeport Resources Company, LLC	84-1230391	15-33975
Goals Coal Company	55-0737462	15-33979
Gray Hawk Insurance Company	26-0483222	15-33980
Green Valley Coal Company	55-0747007	15-33985
Greycagle Coal Company	55-0771551	15-33989
Harlan Reclamation Services LLC	54-1914510	15-33903
Herndon Processing Company, LLC	51-0442749	15-33992
Highland Mining Company	55-0757301	15-33996
	54-1136806	15-33999
Hopkins Creek Coal Company		15-34002
Independence Coal Company, Inc.	54-1188773	
Jacks Branch Coal Company	55-0734230	15-34005
Jay Creek Holding, LLC	27-4593143	15-34007
Kanawha Energy Company	55-0765391	15-34010
Kepler Processing Company, LLC	51-0442560	15-34013
Kingston Mining, Inc.	31-1562659	15-33924
Kingwood Mining Company, LLC	57-1148058	15-33941
Knox Creek Coal Corporation	54-1393689	15-33904
Lauren Land Company	61-1209098	15-33953
Laxare, Inc.	55-0486813	15-33969
Litwar Processing Company, LLC	51-0442687	15-33976
Logan County Mine Services, Inc.	31-1708085	15-33982
Long Fork Coal Company	54-1605009	15-33987
Lynn Branch Coal Company, Inc.	54-1537451	15-33994
Maple Meadow Mining Company	55-0529664	15-34003
Marfork Coal Company, Inc.	55-0723539	15-34009
Martin County Coal Corporation	61-0702852	15-34015
	01-0749355	15-34027
Maxxim Rebuild Co., LLC	55-0814342	15-34029
Maxxim Shared Services, LLC		15-34029
Maxxum Carbon Resources, LLC	55-0802477	
McDowell-Wyoming Coal Company, LLC	54-2079104	15-34033
Mill Branch Coal Corporation	54-1817506	15-33905
New Ridge Mining Company	61-1218677	15-34034
New River Energy Corporation	54-1225713	15-34035
Neweagle Industries, Inc.	54-1695751	15-33906
Nicewonder Contracting, Inc.	20-0388143	15-34036

Debtor's Name	Debtor's EIN Number	Case Number
North Fork Coal Corporation	54-1679027	15-33097
Omar Mining Company	55-0385010	15-34038
Paramont Coal Company Virginia, LLC	56-2298367	15-34039
Paynter Branch Mining, Inc.	55-0746860	15-34040
Peerless Eagle Coal Co.	55-0451306	15-34041
Pennsylvania Land Holdings Company, LLC	84-1452626	15-34042
Pennsylvania Land Resources, LLC	46-2854684	15-34020
Pennsylvania Land Resources Holding Company, LLC	46-2855640	15-34043
Pennsylvania Services Corporation	93-1162601	15-34044
Performance Coal Company	55-0736927	15-34045
Peter Cave Mining Company	61-1360315	15-34046
Pigeon Creek Processing Corporation	54-1900369	15-33908
Pilgrim Mining Company, Inc.	61-1246461	15-34047
Pioneer Fuel Corporation	55-0545211	15-34049
Plateau Mining Corporation	95-3761213	15-34050
Power Mountain Coal Company	31-1567082	15-33914
Premium Energy, LLC	20-3562770	15-33920
Rawl Sales & Processing Co.	55-0476477	15-33929
Republic Energy, Inc.	55-0741015	15-33933
Resource Development LLC	54-1882316	15-33909
Resource Land Company LLC	54-1912100	15-33910
River Processing Corporation	84-1199433	15-33936
Riverside Energy Company, LLC	51-0442691	15-33943
Riverton Coal Production Inc.	55-0739658	15-33946
Road Fork Development Company, Inc.	54-1293743	15-33951
Robinson-Phillips Coel Company	55-0386264	15-33957
Rockspring Development, Inc.	31-1241956	15-33961
Rostraver Energy Company	25-1418256	15-33964
Rum Creek Coal Sales, Inc.	31-1181801	15-33967
Russell Fork Coal Company	61-0394431	15-33972
Shannon-Pocahontas Coal Corporation	54-1132767	15-33974
Shannon-Pocahontas Mining Company	55-0613879	15-33977
Sidney Coal Company, Inc.	54-1293752	15-33981
Spartan Mining Company	31-1571923	15-33984
Stirrat Coal Company	55-0728501	15-33988
Sycamore Fuels, Inc.	54-1527013	15-33991
T. C. H. Coal Co.	61-0723123	15-33995
Tennessee Consolidated Coal Company	62-6029380	15-33997
Thunder Mining Company II, Inc.	55-0770782	15-34001
Trace Creek Coal Company	25-1418260	15-34006
Twin Star Mining, Inc.	31-1265426	15-34011
Wabash Mine Holding Company	91-1897559	15-34014
Warrick Holding Company	91-1897557	15-34017
West Kentucky Energy Company	27-0516756	15-34019
White Buck Coal Company	55-0747028	15-34021
Williams Mountain Coal Company	55-0729825	15-34021
Wyomac Coal Company, Inc.	55-0574144	15-34025

Dated: August 14, 2015

Clerk of the United States Bankruptcy Court For the Eastern District of Virginia 701 East Broad Street, Suite 4000 Richmond, Virginia 23219